

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

WILLIAM T. MOCK, *et al.*,

Plaintiffs,

v.

MERRICK GARLAND, *et al.*,

Defendants.

Civil Action No. 4:23-cv-95-O

**DEFENDANTS' UNOPPOSED MOTION
FOR AN EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendants respectfully move for an extension of time to file their response to Plaintiffs' amended complaint, ECF No. 13, for which the current deadline is April 4, 2023. *See* Fed. R. Civ. P. 12(a)(2). Defendants have conferred with Plaintiffs, and Plaintiffs do not oppose this request.

Plaintiffs commenced this action on January 31, 2023, challenging a rule promulgated by the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), *Factoring Criteria for Firearms With Attached "Stabilizing Braces,"* 88 Fed. Reg. 6,478 (Jan. 31, 2023). ECF No. 1. The following week, Plaintiffs amended their complaint. ECF No. 13. On February 21, 2023, pursuant to the Court's order entering the parties' agreed-upon schedule, ECF No. 32, Plaintiffs filed a motion for a preliminary injunction, ECF No. 33. Defendants responded to that motion on March 10, 2023, ECF No. 37, and Plaintiffs thereafter filed a reply, ECF No. 38. Plaintiffs' motion remains pending.

Accordingly, Defendants respectfully request that the Court extend their deadline to respond to Plaintiffs' amended complaint until 30 days after the Court resolves Plaintiffs' preliminary-injunction motion. This is Defendants' first request for an extension of time in this case.

Defendants appreciate the Court's consideration and respectfully request entry of their

proposed order.

Dated: March 27, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

BRIGHAM J. BOWEN
Assistant Branch Director

/s/ Jody D. Lowenstein

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CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2023, I electronically filed the foregoing document with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

/s/ Jody D. Lowenstein
JODY D. LOWENSTEIN
Trial Attorney
U.S. Department of Justice